

United States District Court
for
the District of Nevada

REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER
September 10, 2019

Name of Offender: **Matthew Dale Dewberry**

Case Number: **2:12CR00118**

Name of Sentencing Judicial Officer: **Honorable Jennifer A. Dorsey**

Date of Original Sentence: **April 21, 2014**

Original Offense: **Count 1: Conspiracy and Count 2: Bank Robbery; Aiding and Abetting**

Original Sentence: **60 Months imprisonment as to Count One; 65 Months as to Count Two, to run concurrent to Texas Case Number 121117091**

Date Supervision Commenced: **November 29, 2017**

PETITIONING THE COURT

X : To dismiss, without prejudice, petition for warrant for the offender under supervision, filed August 23, 2019.

X : To dismiss, without prejudice, petition for warrant for the offender under supervision, filed September 5, 2019.

CAUSE

Dewberry is scheduled to appear before Your Honor on September 10, 2019, for his final revocation hearing. The alleged violation conduct consisted of the following:

- The defendant shall refrain from unlawful use of a controlled substance.
- The defendant shall pay fine and or restitution.
- The defendant shall report change of residence or employment.
- The defendant shall participate in substance abuse treatment
- The defendant shall not commit another federal, state, or local crime

RE: Matthew Dale Dewberry

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As listed in a prior report to the Court, Dewberry is currently in custody at Clark County Detention Center based upon multiple violations of his state probation. He was subject to conditions stemming from a Texas state case, supervised by the Nevada State Parole and Probation Office on an Interstate Compact Agreement.

At this time, the parties recommend that the petition be dismissed without prejudice. Considering the totality of Dewberry's circumstances, his pending supervision violations in the state of Texas, and his adjustment to supervision, the probation office asserts that dismissing the petition without prejudice is a reasonable action taking all conditions into account. Furthermore, dismissing the petition without prejudice at this time will allow Dewberry to address his supervision violations in Texas.

Should the Court adopt the proposed recommendation the Probation Office would recommend Dewberry's hearing scheduled for this date (September 10, 2019), be vacated and revocation proceedings be dismissed. The undersigned officer has staffed the case with both Assistant U.S. Attorney Daniel Cowhig and Dewberry's attorney, Assistant Federal Public Defender Brandon Jaroch, whom both concur with the proposed course of action.

As a result, the probation office is respectfully requesting that the petition be dismissed without prejudice.

Respectfully submitted,

Kamuela K Kapanui
United States Probation Officer

Approved:

Joy Gabonia
Supervisory United States Probation Officer

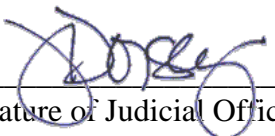
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THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☐ The modification of conditions as noted above
- ☒ Other (please include Judicial Officer instructions below):

Based on probation's request, IT IS HEREBY ORDERED that the petitions [184] [196] are DISMISSED without prejudice; the orders granting them [185] [197] are VACATED; the warrants [186] [198] are QUASHED; and the hearing scheduled for 9/10/2019 at 02:00 p.m. in LV Courtroom 6D before Judge Jennifer A. Dorsey [194] is VACATED.



Signature of Judicial Officer

9/10/2019

Date